

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BRIAN K. REINBOLD,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 05-47-GMS
	:	
UNITED STATES POSTAL SERVICE,	:	
and NALC LOCAL 191,	:	
	:	
Defendant.	:	

**ANSWER AND AFFIRMATIVE DEFENSES**

Defendant, United States Postal Service, by and through their undersigned attorneys,  
Colm F. Connolly, United States Attorney for the District of Delaware, and Patricia C.  
Hannigan, Assistant United States Attorney for the District of Delaware, hereby respond to the  
Plaintiff's Complaint as follows:

1. Admitted upon information and belief.
2. Admitted in part, denied in part. To the extent that the allegations in paragraph 2  
relate to the United States Postal Service,( the "U.S. Postal Service" or "Postal Service"), the  
allegations are admitted. To the extent that the allegations in paragraph 2 relate to parties other  
than the Postal Service, the Postal Service is without sufficient knowledge or information to  
form a reasonable belief as to the truth of such allegations.

**EXHIBIT A**

3. Paragraph 3 of the Complaint is an assertion of jurisdiction, to which no response is required. To the extent a response is required, denied.

4. Paragraph 4 is directed at parties other than the Postal Service. To the extent that any of the allegations contained in Paragraph 4 of the Complaint may be deemed to contain allegations of material fact relative to the Postal Service, they are denied.

5. This paragraph contains the Plaintiff's prayer for relief to which no response is required. Answering Defendant specifically denies that Plaintiff is entitled to any money damages or back pay reinstatement, injunctive relief or any other relief.

### **AFFIRMATIVE DEFENSES**

#### **FIRST DEFENSE**

The complaint fails to state a claim against the Postal Service upon which relief can be granted.

#### **SECOND DEFENSE**

Plaintiff's recovery of compensatory damages under Title VII is limited to Three Hundred Thousand Dollars (\$300,000.00).

#### **THIRD DEFENSE**

Plaintiff is not entitled to punitive damages.

WHEREFORE, the Postal Service hereby respectfully requests that Plaintiff's Complaint against the Postal Service be dismissed in its entirety, with prejudice.

Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

By: /s/Patricia C. Hannigan  
Patricia C. Hannigan  
Assistant United States Attorney  
Delaware Bar I.D. No. 2145  
The Nemours Building  
1007 Orange Street, Suite 700  
P. O. Box 2046  
Wilmington, DE 19899-2046  
(302) 573-6277  
[Patricia.Hannigan@usdoj.gov](mailto:Patricia.Hannigan@usdoj.gov)

Dated: